



Docket No. 1818.1030-003

STATEMENT UNDER 37 C.F.R. § 3.73(b)

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MAR 06 2003  
TECH CENTER 1600/2900

Applicants: Jonathan S. Stamler, Andrew J. Gow and David J. Singel

Application No.: 10/066,320 Filed: January 31, 2002

For: METHOD FOR DETERMINING PHYSIOLOGICAL EFFECTS OF HEMOGLOBIN

Montana State University - Bozeman

(Name of Assignee)

a University

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A. ☐ the assignee of the entire right, title and interest in the patent application identified above; or
- B. ☒ an assignee together with Duke University of the entire right, title and interest in the patent application identified above. A separate Statement under 37 CFR § 3.73(b) is being submitted.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

- A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: Feb 11, 2003

Name: Rebecca W. Mahurin

Title: Director of Technology Transfer Office

Signature: Rebecca W. Mahurin



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TECH CENTER 1600/2900 Docket No. 1818.1030-003

STATEMENT UNDER 37 C.F.R. § 3.73(b)

Applicants: Jonathan S. Stamler, Andrew J. Gow and David J. Singel

Application No.: 10/066,320 Filed: January 31, 2002

For: METHOD FOR DETERMINING PHYSIOLOGICAL EFFECTS OF HEMOGLOBIN

Duke University, a University  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A. ☐ the assignee of the entire right, title and interest in the patent application identified above; or
- B. ☒ an assignee together with Montana State University - Bozeman of the entire right, title and interest in the patent application identified above. A separate Statement under 37 CFR § 3.73(b) is being submitted.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

- A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

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The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: HA 2/05/03

Name: Robert L. Taber

Title: Vice Chancellor

Signature: [Signature]

# COPY

Docket No. 1818.1030-003

Multi-Joint

## ASSIGNMENT

WHEREAS, we, **Jonathan S. Stamler and Andrew J. Gow**, together with co-inventor **David J. Singel**, have invented a certain improvement in **Method for Determining Physiological Effects of Hemoglobin** described in an application for Letters Patent of the United States, the specification of which:

- ☐ is being executed on even date herewith and is about to be filed in the United States Patent Office;
- ☒ was filed on **January 31, 2002** as Application No. **10/066,320**;
- ☐ was patented under U.S. Patent No. ☐ on ☐.

WHEREAS, **Duke University** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the **State of North Carolina**, and having a usual place of business at **Erwin Road, Durham, North Carolina 27710** desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, our entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with our entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of our entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor's Signature: \_\_\_\_\_

Jon. S. Stamler

4/1/02

**Jonathan S. Stamler**

Signing for myself and as an agent of Howard Hughes  
Medical Institute

State/Commonwealth

of North Carolina

County of Durham

Then personally appeared before me the above-named **Jonathan S. Stamler** and acknowledged that he executed the foregoing instrument as his free act and deed this 1st day of April, 2002.

(SEAL)

Laura Dillon

Notary Public

Laura Dillon

(print name)

My Commission expires 28 / June / 06

Inventor Andrew S. Gow Date 01/17/03  
Andrew J. Gow

Address 197 CARTER ROAD  
PRINCETON, NJ 08540

Witness David Muxson  
Address 4631 Pine St #E505  
Philadelphia PA 19143

Witness Christiana W. Davis  
Address Box 34005  
Phl. Pa. 19101

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Multi-Sole

ASSIGNMENT

WHEREAS, I, **David J. Singel**, together with co-inventors **Jonathan S. Stamler** and **Andrew J. Gow**, have invented a certain improvement in **Method for Determining Physiological Effects of Hemoglobin**, described in an application for Letters Patent of the United States, the specification of which:

- ☐ is being executed on even date herewith and is about to be filed in the United States Patent Office;
- ☒ was filed on **January 31, 2002** as Application No. **10/066,320**;
- ☐ was patented under U.S. Patent No. ☐ on ☐.

WHEREAS, **Montana State University - Bozeman** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the **State of Montana** and having a usual place of business at **304 Montana Hall, MSU, Bozeman, Montana 59717** desires to acquire an interest therein in accordance with agreements duly entered into with me;

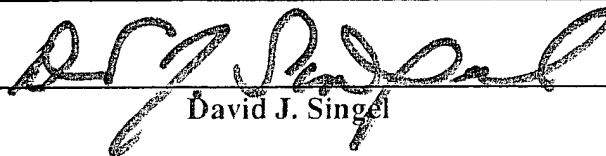
NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, I have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, my entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with my entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by me had this assignment and sale not been made; I hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. I hereby acknowledge that this assignment, being of my entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, I hereby further agree for myself and my executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, I do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal the date set forth below.

Inventor

  
David J. Singel

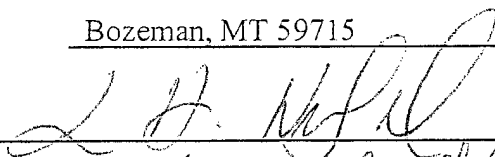
Date

9/16/02

Address 3185 Summer Cutoff Road

Bozeman, MT 59715

Witness



Address

3185 Summer Cutoff Rd.,  
Bozeman, MT 59715

Witness

Rebecca W. Mahurin

Address

5 West Cleveland  
Bozeman, MT 59715

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- ☐ is being executed on even date herewith and is about to be filed in the United States Patent Office;
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NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, our entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with our entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of our entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;



AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

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---

Inventor \_\_\_\_\_ Date \_\_\_\_\_  
**Jonathan S. Stamler**

Address \_\_\_\_\_  
\_\_\_\_\_

Witness \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Witness \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

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Inventor's Signature: \_\_\_\_\_  
**Andrew J. Gow**

State/Commonwealth \_\_\_\_\_  
of \_\_\_\_\_  
County of \_\_\_\_\_

Then personally appeared before me the above-named **Andrew J. Gow** and acknowledged that he executed the foregoing instrument as his free act and deed this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

(SEAL)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
My Commission expires \_\_\_\_/\_\_\_\_/\_\_\_\_  
Notary Public  
(print name)